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09/731,240	12/05/2000	Ivan Lee	M-10122 US	8731

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EXAMINER

TSEGAYE, SABA

ART UNIT PAPER NUMBER

2662

8

DATE MAILED: 03/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/731,240

Applicant(s)

LEE ET AL.

Examiner

Saba Tsegaye

Art Unit

2662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 June 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-11 and 13-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, lines 14 and 15; claim 8, line 8, it is not clear whether “ a second type and a first type” refers to the same first type and second type cited in line 12.

In claim 2, line 3; claim 3, line 2; and claim 8, line 7, it is not clear whether “a wireless device” refers to the same wireless client device cited in line 14 of claim 1.

In claim 13, lines 12 and 13; claim 16, line 8, it is not clear whether “ a second type and a first type” refers to the same first type and second type cited in line 10 of claim 13.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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4. Claims 19 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Lincke et al. (US 6,397,259).

Lincke discloses, in Fig. 4, a wireless network (400), comprising:

a private segment of an IP network (column 18, lines 9-20);

a wireless gateway (410) for wirelessly coupling one or more wireless device (405) to the private segment of the IP network so as to convert between wireless signals and IP packets (column 17, lines 29-46);

a WAP gateway (430);

an access server (180) for providing the private segment of the IP network access to the Internet (190) and the WAP gateway (430) (column 18, lines 20-29); and

a secure connection through the Internet (190) for providing a private link between the private segment of an IP network and the access server (column 18, lines 30-46).

Regarding claim 20, Lincke discloses a wireless network, further comprising:

a packet inspector for inspecting information contained in the IP packets (column 82, lines 15-44);

a set of encryption/decryption rules for prescribing encryption/decryption to a IP packet based on the information contained in the IP packet (column 82, lines 15-63; column 85, lines 16-29); and

an encryption decryption engine for executing the encryption/decryption accordingly (column 85, line 16-column 86, line 11).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jamtgaard et al. (US 6,430,624) in view of Fitch et al. (US 6,647,389).

Regarding claims 1, 8, 9, 13, 16 and 17, Jamtgaard discloses, in Figs. 1 and 2, a system for serving content residing on an IP network to a plurality of wireless client devices in a wireless serve area, comprising:

at least one wireless gateway (14) for wirelessly connecting the plurality of wireless client devices (5, 15) to the IP network (13), the wireless gateway (14) converting between wireless signals and IP packets, wherein each IP packet includes a header specifying a transport protocol, and a destination IP address (column 7, lines 1-66);

a plurality of content applications, each under a given application protocol, for providing content accessible from the IP network (13), the content including a first type and a second type (2, 3, 4) (column 6, lines 8-33).

Further, Jamtgaard discloses that the content provider 13 examines the header information contained in the data packets and redirects any non-PC requests to the translation server 12 (as in claims 1, 8, 9, 13, 16 and 17).

However, Jamtgaard does not expressly disclose redirecting to content of the second type when the client attempt to access content of the first type.

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Fitch teaches a method and program that determines the availability of various media streams and determines which media stream is the most appropriate for that particular user, based on geography, congestion, and any other factors deemed appropriate (column 6, lines 1-15).

It would have been obvious to one ordinary skill in the art at the time the invention was made to add a method that redirect to content of the second type when the client attempt to access content of the first type, such as that suggested by Fitch, in the method of Jamtgaard in order to avoid interruptions due to networks delays or user congestion.

Regarding claim 2, Jamtgaard discloses a system wherein the content of the first type includes content of general interest not necessarily specific to a given wireless service area in which the wireless device is operating (column 6, line 32-column 7, line 12).

Regarding claim 3, Jamtgaard discloses a system wherein the content of the second type includes content specific to a given wireless service area in which a wireless device is operating (column 6, line 32-column 7, line 30).

Regarding claim 4, Jamtgaard discloses wherein the plurality of content applications includes WML applications under the WAP and the associated transport protocol is UDP (column 6, lines 54-67).

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Regarding claim 5, Jamtgaard discloses wherein the plurality of content application includes HTML applications under the HTTP and the associated transport protocol is TCP (column 6, line 32-column 7, line 12).

Regarding claims 6 and 14, Jamtgaard discloses a system wherein the content redirector includes a packet modifier that modifies the destination IP address of packets originating from the wireless client device to point to a server hosting the content of the second type (column 7, lines 12-30).

Regarding claims 7 and 15, Jamtgaard discloses a system wherein the content redirector includes a packet modifier that modifies the URL of packets originating from the wireless client device to point to the content of the second type (column 8, lines 27-45).

Regarding claim 10 and 18, Jamtgaard discloses a system wherein each wireless client device is associated with an identity number; and the packet modifier incorporates into the IP packets originating from the wireless client its associated identity number (column 8, lines 27-45).

Regarding claim 11, Jamtgaard discloses, in Fig. 2, a system wherein the IP network includes the Internet (13) (column 5, lines 14-16).

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7. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jamtgaard et al. in view of Fitch et al. as applied to claim 13 above, and further in view of Lincke et al.

Jamtgaard in view of Fitch discloses all the claim limitations as stated above except for IP network includes a private segment not publicly accessible.

Lincke teaches, in Fig. 1, a private network 172 between the base station 170 and the proxy server 180.

It would have been obvious to one ordinary skill in the art at the time the invention was made to add a private segment, such as that suggested by Lincke, in the system of Jamtgaard in view of Fitch in order to provide a network security and to minimize the likelihood of flaws.

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Zellner et al. (US 6,675,017) discloses a location blocking service for wireless networks.

Corrigan et al. (US 6,640,097) discloses a WAP service personalization, management and billing object oriented platform.

Liao et al. (US 6,606,663) disclose a method and apparatus for caching credentials in proxy servers for wireless user agents.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saba Tsegaye whose telephone number is (703) 308-4754. The examiner can normally be reached on Monday-Friday (7:30-5:00), First Friday off.

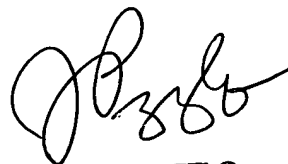


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on (703) 305-4744. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ST  
March 13, 2004



**JOHN PEZZLO**  
**PRIMARY EXAMINER**